

### **Remarks**

According to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated February 27, 2006, Applicants' response mailed on December 7, 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. More specifically, in the Notice, the Examiner indicated that amendments to the claims cause Applicants' amendment document to be non-compliant, because a complete listing of all of the claims is not present.

Applicants believe that the Notice of Non-Compliant Amendment (37 CFR 1.121) issued by the Examiner for the failure to include a complete listing of all of the claims is improper, since Applicants **did not submit any amendments to the claims**. According to 37 CFR 1.121(c), a complete listing of all claims ever presented in the application is required in those amendment documents *that include a change to an existing claim, cancellation of an existing claim or addition of a new claim*. Applicants respectfully submit that Applicants' response of December 7, 2005, included **only remarks, and no claim amendments were submitted by Applicants**. Indeed, on page 1 of the response, Applicants clearly stated that:

“In response to the Office Action mailed September 7, 2005, Applicants submit the following **remarks**”.

(Emphasis added). The “Remarks” section then followed beginning on page 2 of the response.

Thus, for the foregoing reasons, Applicants respectfully submit that Applicants are not required to submit amendment corrections, as noted in the Notice of Non-Compliant Amendment (37 CFR 1.121). Further, Applicants respectfully request

the Examiner to consider the remarks submitted by Applicants in the Office Action response mailed December 7, 2005.

Respectfully submitted,

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Date: March 22, 2006

By:

  
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